

2010-UNAT-071, Kovacevic

UNAT Held or UNDT Pronouncements

UNAT held that the Appellant failed to explain how UNDT exceeded or failed to exercise its jurisdiction or competence, erred on a question of law or procedure, or erred on a question of fact, resulting in a manifestly unreasonable decision. UNAT recalled that the UNDT Statute precluded UNDT from suspending or waiving the deadlines for management evaluation. UNAT held that UNDT was therefore correct in concluding that the application was not receivable and to reject it on that basis. UNAT dismissed the appeal and upheld the UNDT Judgment.

Decision Contested or Judgment/Order Appealed

The Applicant contested the decision to terminate her appointment as part of a drawdown plan. UNDT rejected her application as not receivable on grounds that the Applicant had failed to submit in a timely manner her request for a management evaluation of the administrative decision to terminate her appointment.

Legal Principle(s)

UNDT cannot suspend or waive the deadlines for management evaluation.

Outcome

Appeal dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Kovacevic

Entity

UNMIK

Case Number(s)

2010-061

Tribunal

UNAT

Registry

New York

Date of Judgement

29 Oct 2010

President Judge

Judge Courtial

Language of Judgment

English

French

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Subject matter (ratione materiae)

Applicable Law

Former Staff Rules

- Rule 111.2(f)

UNAT RoP

- Article 8.2

UNAT Statute

- Article 2.1

Related Judgments and Orders

2010-UNAT-005

2010-UNAT-008

2010-UNAT-011